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International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Concluding observations on the combined twentieth to twenty-second periodic reports of the Russian Federation

Addendum

Information received from the Russian Federation on follow-up to the concluding observations*

[Date received: 17 March 2014]

Paragraph 7

1. The delegation of the Russian Federation to the eighty-second session of the Committee on the Elimination of Racial Discrimination in February 2013 explained why, given the sectoral nature of the legal system in the State party, it was not possible to adopt the "comprehensive anti-discrimination legislation" mentioned in the Committee's recommendation.

2. National legislation is continuing to evolve in respect of establishing norms aimed at combating discrimination. Federal Act No. 162-FZ amending the Employment Act and other Legislation was adopted on 2 July 2013, adding the following paragraph 6 to article 25 of the Employment Act: "It is prohibited to disseminate information about job vacancies that contains any sort of direct or indirect restrictions on rights or establishes any direct or indirect privileges on the basis of sex, race, colour, ethnic origin, language, descent, property, family or social status or official position, age, place of residence, religion, beliefs, membership of civil society associations or any social groups, or other circumstances unrelated to the professional skills of the employee, except in cases in which the right or the obligation to impose such restrictions or privileges is provided for by federal acts (information about job vacancies containing restrictions of a discriminatory nature). Persons who disseminate information about job vacancies containing restrictions of a discriminatory nature shall be liable to prosecution for administrative offences under the law."

* The present document is being issued without formal editing.

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Paragraph 12

3. The President and the Government of the Russian Federation and the executive authorities of the constituent entities of the Russian Federation have adopted a number of strategic documents on inter-ethnic harmony and the ethnocultural development of the country's peoples that clearly confirm its commitment to democratic values and its condemnation of racist ideology and propaganda. The documents include the State ethnic policy for the period to 2025 (approved by Presidential Decree No. 1666 of 19 December 2012), the plan of action for its implementation in 2013–2015 (approved by Government Order No. 1226-r of 15 July 2013), the federal programme on strengthening the unity of the Russian nation and the ethnocultural development of the peoples of the Russian Federation for the period 2014–2020 (approved by Government Order No. 718 of 20 August 2013), as well as the regional strategies, plans and programmes adopted in the relevant areas. One of the main priorities emphasized in these documents is the guarantee of equal rights and freedoms for individuals and citizens, regardless of race, ethnic origin, language, descent, property, official position, place of residence, religion, beliefs, membership of civil society associations or other circumstances.

Paragraph 12, subparagraphs (a) and (d)

4. The film industry has a particular role to play in combating racist hate speech and negative stereotypes of ethnic minorities. When the Ministry of Culture provides financial support for films, it always indicates in the contract, in line with legislation, that the producer is responsible for ensuring that the film neither promotes nor incites social, racial, ethnic or religious hatred.

5. The following non-fiction films have been produced on the above-mentioned subjects in recent years:

- *Tolerantnost, ili otkrovenno o dukhovnom (Tolerance, or Openly of Spiritual Things)*, about inter-ethnic relations, taking the model of tolerance in the Republic of Tatarstan;
- *Uroki ne po raspisaniyu (Lessons not on the Timetable)* on the causes of intolerance and encouraging tolerance in a normal Russian school, with pupils of different ethnic backgrounds;
- *Alena v strane fiordov (Alena in Fjordland)*, about issues related to tolerance and successful integration into another country's system of social and interpersonal relations.

Paragraph 12, subparagraph (b)

6. The press department of the Federal Migration Service organizes regular presentations by and interviews with senior Service staff, managers and experts from the major divisions of the central office, discussing the different areas of the Service's work. These are published in or broadcast on the main national and foreign media. The presentations address issues related to preventing extremism and nationalist sentiments, among other things, and condemn racist or xenophobic phenomena.

7. The President and the Government of the Russian Federation and the executive authorities of the constituent entities recently adopted a number of strategic documents on inter-ethnic harmony and the ethnocultural development of the country's peoples that clearly confirm its commitment to democratic values and its condemnation of racist ideology and propaganda. The documents include the State ethnic policy for the period to 2025 (approved by Presidential Decree No. 1666 of 19 December 2012), the plan of action for its implementation in 2013–2015 (approved by Government Order No. 1226-r of 15

July 2013) and the federal programme on strengthening the unity of the Russian nation and the ethnocultural development of the peoples of the Russian Federation for the period 2014–2020 (approved by Government Order No. 718 of 20 August 2013). One of the main priorities emphasized in these documents is the guarantee of equal rights and freedoms for individuals and citizens, regardless of race, ethnic origin, language, descent, property, official position, place of residence, religion, beliefs, membership of civil society associations or other circumstances.

8. Federal Act No. 284, which amended certain legislative acts establishing the mandates and responsibilities in the area of inter-ethnic relations of the government bodies of the constituent entities of the Russian Federation, local self-government bodies and their officials, was adopted on 2 October 2013.

9. It added to the list of main responsibilities of the constituent entities' highest executive authorities the implementation of measures to: ensure State guarantees of equal rights, freedoms and legitimate interests of persons and citizens, irrespective of race, ethnic origin, language, religion or other circumstances; prevent any restriction of rights or discrimination on those grounds; preserve and develop the ethnic and cultural diversity of the peoples living in the territory of the constituent entities, their languages and culture; protect the rights of ethnic minorities; encourage the social and cultural adaptation of migrants; and prevent inter-ethnic conflicts and ensure inter-ethnic and interreligious harmony.

10. It also expanded the powers that the authorities have in the area of ethnic relations to develop and implement regional programmes providing State support for the preservation and development of the languages and culture of the peoples living in the particular entity. Municipal authorities at all levels have a similar mandate in the area of inter-ethnic relations (Federal Act No. 131-FZ of 6 October 2003 on the General Principles of Local Self-government in the Russian Federation, arts. 14, para. 1 (7.2), 15, para. 1 (6.2), and 16, para. 1 (7.2)).

11. It is possible to remove the head of a municipal authority if he or she or the bodies or officials of the local authority or subordinate organizations have permitted large-scale violations of, or allowed restrictions to be placed on, guarantees of equal rights and freedoms on the basis of ethnic, linguistic, religious or other grounds, or permitted discrimination on such grounds. Such a person may be dismissed if the actions have disrupted inter-ethnic or interreligious harmony or contributed to inter-ethnic or interreligious conflicts (Federal Act No. 131-FZ of 6 October 2003 on the General Principles of Local Self-government in the Russian Federation, art. 74.1, para. 5 (2)).

12. Furthermore, amendments have been made to Federal Act No. 79-FZ of 27 July 2004 on the Civil Service, introducing new responsibilities for civil servants in ensuring equal and fair treatment of all physical and legal persons, and in preventing bias in respect of associations, groups, individuals and organizations (art. 18, para. 1 (18)).

13. In the exercise of their functions and powers, the Government, the authorities and officials condemn any manifestation of racial discrimination, and strongly encourage respect for human rights in all areas of public life, regardless of ethnic origin, religion, language or gender.

14. The President of the Russian Federation and the Chairman of the Government have repeatedly emphasized the need to prevent and prohibit activities intended to incite racial, ethnic hatred and religious discord or strife.

15. Mr. Putin has said: "It is your direct responsibility to respond actively to attempts to incite inter-ethnic or interreligious hatred or to promote xenophobia or chauvinism. You must take resolute action, based on the rule of law and free of any double standards or bias.

But you must act decisively." (From his statement to an enlarged session of the Board of the Office of the Procurator-General, 5 March 2013, Moscow).

16. Mr. Medvedev said that: "Taking a resolute stance against nationalism and extremism is one of our most important tasks. Any advocacy of separatism, nationalism or religious intolerance is inevitably a challenge to the stability and unity of our multi-ethnic State. We need not only to work on the consequences, but also to take effective preventive action, and collaborate as closely as possible with civil society institutions" (from his statement to the enlarged meeting of the Board of the Federal Security Service, 29 January 2009, Moscow).

17. Mr. I.N. Slyunyaev, Minister for Regional Development, commented: "I would remind you that, since the very beginning of its thousand-year history, Russia has always developed as a multi-ethnic State, the like of which has never existed. In contrast to many other countries, where ethnicity has been boiled away in the melting pot or violently eradicated, our peoples have, over the centuries, evolved on the territory and in the bosom of Russia, all helping to strengthen our government institutions while preserving their own languages, religions, traditions and cultures. It is their membership of the Russian State and the Russian nation that has brought all our peoples together, without rejecting other forms of self-identification" (from his statement to the Federation Council on 16 December 2013).

18. The leaders of the constituent entities' highest executive authorities also strongly condemn racism and xenophobia.

19. Thus, for example, Mr. Y.A. Berg, Governor of Orenburg Region, has made several public statements condemning discrimination on racial or ethnic grounds, and particularly stressing the need to enhance the work being done to promote civic harmony and prevent any manifestations of nationalism, ethnic extremism or xenophobia (Orenburg, 12 January 2011).

20. Incitement to hatred or enmity and degradation are classified in legislation as extremist offences (Criminal Code, art. 282).

21. Extremist offences involving use of the Internet first became a major issue in 2012.

22. In 2013, 375 criminal cases were brought for such offences, compared to 231 in 2012, a clear indication of the increase in such crimes.

23. In 2013, 49 individuals were convicted under article 280, paragraph 1, of the Criminal Code of public incitement to extremist activities, while 2 persons were convicted under article 280, paragraph 2, of similar offences using the media.

24. According to the information received from the Office of the Procurator-General, a pretrial inquiry was conducted by the Sochi investigating agency, a unit of the investigation department for Krasnodar reporting to the Investigative Committee of the Russian Federation, at the request of lawyer Ms. M.A. Dubrovina for Mr. A.N. Klein concerning offences under article 282 of the Criminal Code committed by Mr. A.N. Pakhomov, mayor of Sochi.

25. Ms. Dubrovina's statement shows that Mr. Klein is an ethnic Rom currently living in Pskov. Mr. Klein found from information published on the Sochi websites that, on 19 October 2009, Mr. Pakhomov, mayor of Sochi, had made the following statement at a plenary session of Sochi municipal administration, in the presence of journalists: "Gypsies and vagrants should be sent to construction sites and made to work there, as in Soviet times." The complainant considers that, in making the statement, Mr. Pakhomov committed actions, in public, through the media, intended to incite hatred and enmity against Roma and insulting their dignity on the basis of their ethnicity.

26. These allegations were not confirmed during the pretrial investigation, which found that Mr. Pakhomov's words had been wrongly interpreted. The case was therefore dismissed on 19 October 2012 on the basis of article 24, paragraph 2 (1), of the Code of Criminal Procedure, that is, for the absence from Mr. Pakhomov's actions of the elements of a crime as defined in article 282 of the Criminal Code.

Paragraph 13

27. The theoretical definition of "extremist activity (extremism)" and the classification of its different varieties lead to many arguments and differences of opinion in its current scientific interpretation both in the country and abroad. Researchers have a less categorical and more multidimensional understanding of it, on the basis of the complex, multifaceted historic variability and dynamism of the phenomena behind the expression.

28. As we see it, the shortcomings in the Anti-extremism Act that permitted activity that did not contain open incitement to illegal extremist actions, but did so in veiled form or allowed for the possibility of such actions, were remedied with the adoption of Federal Act No. 148-FZ of 27 July 2006, which amended articles 1 and 15 of the Anti-Extremism Act, introducing substantive changes to article 1 to give a more precise definition of "extremist activity (extremism)".

29. Moreover, Federal Act No. 211-FZ of 24 July 2007, which amended some legislation to improve governance in the area of combating extremism, improved the legislative framework by, inter alia, establishing criminal and administrative responsibility for acts of an extremist nature and giving a precise definition of "extremist activity (extremism)".

30. Furthermore, the Criminal Code specifies the acts that are prohibited by criminal law. This compensates for the absence, or imprecision, of any particular definition.

31. Given this, we believe that any unnecessarily more precise definition of "extremist activity (extremism)" would make it impossible either to apply it effectively in very many specific legal situations or to institute legal proceedings against the persons responsible.

32. The Russian Federation is a party to the Shanghai Convention on Combating Terrorism, Separatism and Extremism, signed in Shanghai on 15 June 2001, and the Agreement on Cooperation in Identifying and Blocking the Routes by which Persons involved in Terrorist, Extremist and Separatist Activities enter the Territory of Member States of the Shanghai Cooperation Organization, signed in Shanghai on 15 June 2006.

33. Pursuant to article 1, paragraph 1, of the Shanghai Convention on Combating Terrorism, Separatism and Extremism, the term "extremism" covers any act aimed at the forcible seizure or retention of power, forcible change of the constitutional system or violent attacks on public security, including the organization of or participation in illegal armed formations for those purposes, and is punishable under criminal law in the States parties.

34. Federal Act No. 114-FZ is one of the key pieces of anti-extremist legislation.

35. Its article 1 defines extremist activity as:

- Violent change to the foundations of the constitutional order or violation of the territorial integrity of the Russian Federation;
- Public justification of terrorism or other terrorist activity; incitement to social, racial, ethnic or religious discord; the promotion of exclusivity, superiority or inferiority on the basis of a person's social, racial, ethnic, religious or linguistic origin or religion;

- Violation of human and civil rights, freedoms and legitimate interests on the basis of a person's social, racial, ethnic, religious or linguistic origin or religion;
- Obstruction of the exercise of citizens' electoral rights or their right to participate in a referendum, or violation of voter confidentiality, with the use or threat of violence;
- Obstruction of the lawful activities of State or local government bodies, electoral commissions, civil society or religious associations or other organizations, with the use or threat of violence;
- The commission of offences on the grounds set out in article 63, paragraph 1 (f), of the Criminal Code;
- The promotion and public display of Nazi paraphernalia or symbols, or materials that may be mistaken for Nazi paraphernalia or symbols, or the public display of paraphernalia or symbols of extremist organizations;
- Public incitement to extremist acts or mass distribution of materials known to be extremist, or the preparation or storage of such materials for the purpose of mass distribution;
- Knowingly false public accusations against a person holding an official State position in the Russian Federation or in a constituent entity of the Russian Federation of having, during his or her term of office, engaged in activities indicated in this article that constitute an offence;
- The organization or preparation of, and incitement to, such acts;
- The financing of such acts or other forms of participation in their organization, preparation or execution, including by supplying educational, print or material and technical resources, telephone or other communication media or providing information services.

36. Currently, acts committed on grounds of political, ideological, racial, ethnic or religious hatred or enmity or on grounds of hatred or enmity towards a particular social group are the only punishable offences of an extremist nature specifically covered by relevant articles in the special part of the Criminal Code. Consequently, "offences of an extremist nature" is an umbrella term, covering, first and foremost, the following punishable offences:

(1) Murder (art. 105, para. 2 (k) of the Criminal Code);

(2) Intentional infliction of grave injury to health (art. 111, para. 2 (f));

(3) Intentional infliction of moderate injury to health (art. 112, para. 2 (f));

(4) Intentional infliction of slight injury to health (art. 115, para. 2 (b));

(5) Assault (art. 116, para. 2 (b));

(6) Torture (art. 117, para. 2 (h));

(7) Threat of murder or infliction of grave injury to health (art. 119, para. 2);

(8) Enticement of a minor to commit an offence for reasons of political, ideological, racial, ethnic or religious hatred or enmity or hatred or enmity of a social group (art. 150, para. 4).

(9) Criminal mischief (art. 213, para. 1 (b));

(10) Vandalism (art. 214, para. 2);

(11) Desecration of mortal remains or places of burial (art. 244, para. 2 (b));

(12) Public incitement to extremist activity (art. 280);

(13) Incitement to hatred or enmity or insults to human dignity (art. 282);

(14) Organization of an extremist association (art. 281.1);

(15) Organization of the activities of an extremist organization (art. 282.2).

37. The Code of Administrative Offences also establishes liability for extremist activity in its articles 20.3 (Promotion and public display of Nazi paraphernalia or symbols), 20.28 (Organization of activity of a civil society or religious association whose activities have been suspended) and 20.29 (Production and distribution of extremist materials).

38. Regarding the Committee's recommendation that Federal Act No. 121 of 20 July 2012 on Non-Commercial Organizations should be reviewed, it should be noted that, according to the Act, which entered into force on 21 November 2012, registered Russian non-profit organizations are considered to be non-profit organizations performing the function of foreign agents if they meet the following two criteria: they receive foreign funding and they participate in political activities.

39. Russian non-profit organizations are considered to be performing the function of foreign agents if they receive funds or other resources from foreign governments or their agencies, from international or foreign organizations, foreign citizens, stateless persons or their authorized representatives, and/or from Russian legal entities that receive funds or other resources from such sources (with the exception of open joint-stock companies with state participation and their subsidiaries) and are politically active in the territory of the Russian Federation, including in the interests of foreign sources.

40. Activities in the areas of science, culture, the arts, health care and the provision of medical and preventive treatment, social support and protection, mother and child care, social support for persons with disabilities, the promotion of healthy lifestyles, physical culture and sports, the protection of flora and fauna, charitable works and efforts to promote charity and volunteer work do not constitute political activities.

Paragraph 15, subparagraph (a)

41. On 31 January 2013 the Government of the Russian Federation approved a comprehensive plan for the socioeconomic and ethnocultural development of Roma in the Russian Federation over the period 2013–2014. The plan includes activities to promote ethnocultural development, health care and the integration of Roma into Russian society, including by encouraging their legal awareness, legalization of their status and employment. The plan is particularly intended to serve as a stimulus and guide for regional and municipal authorities, given that most issues relating to the socioeconomic and ethnocultural integration of Russian Roma fall within the competence of local governments.

42. The plan provides for institutional and legal measures, activities in the areas of ethnocultural development, education and social welfare, and information and media campaigns to promote the integration of Roma into Russian society, including by improving their level of education, promoting legal awareness and self-employment, preventing juvenile delinquency and working with representatives of Roma associations.

43. Analysis of the plan's implementation in 2013 shows a marked increase in the attention paid to Roma issues by the federal executive authorities, the executive authorities of the constituent entities of the Russian Federation and local governments. Various preventive activities with an ethnocultural, social and institutional focus were carried out, making it possible to analyse the current state of affairs in areas with large Roma populations and the level of provision to the Roma of social, educational and other services, and to establish cooperation with formal and informal Roma community leaders. In

particular, there has been a marked improvement in the issuance of identity documents and the registration of individuals on the basis of their places of temporary and permanent residence in the territory of the Russian Federation.

44. A total of 47,800 citizens of the Russian Federation identifying themselves as Roma already held or applied for a Russian Federation passport during the period in question. The legal status of 989 individuals in the territory of the Russian Federation is under review.

45. Another major achievement in 2013 was the promotion of institutional development in the Roma community through the registration of civil society organizations. The executive authorities of many constituent entities, including Stavropol territory and Vladimir and Samara provinces, helped Roma citizens' action groups prepare the necessary documentation for registering such organizations.

46. It should be noted that the nomadic lifestyle, culture and traditional aspects of Roma society, which affect their attitude towards education, the need to be registered according to one's place of residence, citizenship, employment, and other economic, social and cultural benefits, do not result in any restriction of their rights and freedoms under the prevailing legislation of the Russian Federation.

47. Furthermore, since 2012 the Russian Federation and the Council of Europe have been implementing the Mediation for Roma (ROMED) programme.

48. Roma national art has long been an integral part of the Russian cultural tradition. The Ministry of Culture consistently supports the creative self-realization of the Roma ethnic group, as exemplified by the successful work of the Moscow-based Romen Theatre and several other Roma musical ensembles well known throughout Russia and abroad.

Paragraph 15, subparagraph (b)

49. Following up on this recommendation, the Ministry of Regional Development is working with the relevant federal executive authorities and the executive authorities of the constituent entities to implement the above-mentioned comprehensive action plan.

50. The plan was officially sent to the executive authorities of the constituent entities, the Federal Autonomous Ethnic Cultural Organization of Russian Roma and the Memorial Anti-discrimination Centre, and was published on the Ministry of Regional Development website.

51. The plan envisages measures for overcoming negative social stereotypes of Roma. Implementing agencies and timelines have been established for each of the plan's 20 measures.

52. Implementation of the plan involves the participation of the federal executive authorities, the executive authorities of the constituent entities, local governments, the Federal Autonomous Ethnic Cultural Organization of Russian Roma, the Russian Institute of Cultural Studies and a number of other non-governmental organizations.

53. To identify best practices for and impediments to the integration of Roma in the regions, implementation of the plan will include continuous monitoring by the Government and civil society and a comprehensive sociological study of the situation of Roma in the constituent entities, to help focus efforts on the most pressing issues related to the development of Russian Roma.

54. The comprehensive action plan for the socioeconomic and ethnocultural development of the Roma in the Russian Federation during the period 2013–2014 is the first-ever plan for the integration of Russian Roma and, as such, a pilot project. It covers a two-year period (2013–2014) and its results are intended to serve as a basis for a similar action plan for the following period.

55. Russia follows a consistent policy with regard to safeguarding and respecting the rights and freedoms of all its citizens, regardless of their racial, ethnic, religious or linguistic identity. There are criminal and administrative penalties for various forms of discrimination. Prevailing legislation applies fully to Roma in the Russian Federation, who enjoy all the rights of citizenship.

56. In accordance with article 4 of Federal Act No. 62-FZ of 31 May 2002 on Citizenship of the Russian Federation, the principles governing citizenship and the relevant regulations prohibit any restriction of citizens' rights on social, racial, ethnic, linguistic or religious grounds.

57. Citizenship is acquired and rescinded in accordance with federal law and is identical and equal regardless of the basis on which it was acquired (Constitution, art. 6).

58. Furthermore, article 69 of the Constitution guarantees the rights of small indigenous peoples in accordance with generally recognized principles and norms of international law and the international treaties to which the Russian Federation is a party.

59. Establishing special measures to facilitate access to citizenship for Roma would violate the equality of rights and freedoms guaranteed in article 19, paragraph 2, of the Constitution.

60. On 14 May 2013, the State Duma, the lower house of the Federal Assembly adopted on first reading a federal bill on the foundations of social services in the Russian Federation, which establishes a legal framework governing relations in the field of social services. The act will apply to citizens of the Russian Federation, foreign citizens, refugees and stateless persons residing permanently in the territory of the Russian Federation.

61. The bill stipulates that social services are provided on the basis of the recognition, observance and protection of human rights and freedoms, and in line with the universally recognized principles and norms of international law.

62. Citizens in difficult situations are given equal and free access to social services regardless of gender, race, age, ethnic origin, language, descent, official position, place of temporary or permanent residence, religion, beliefs or membership of civil society associations.

63. The criteria for determining that a citizen is in a difficult situation are the following:

- The partial or complete loss of the ability to care for him- or herself and/or move around, which interferes or may interfere with the person's ability to meet his or her basic needs;
- A socially dangerous situation that represents a risk to the person's life and/or health, including his or her psychological state (the presence in the family of persons addicted to drugs or alcohol, domestic violence, child abuse, etc.);
- For a minor, a lack of parental care or foster parents or guardians;
- The lack of a fixed place of residence, regular employment and means of subsistence;
- Other circumstances that are disrupting or may disrupt the person's life and represent a risk to his or her life and (or) health, a list of which is established by national legislation.

64. The provisions of the new act will thus also apply to (male and female) citizens of Roma ethnicity residing permanently in the territory of the Russian Federation.

65. For example, pursuant to article 14.1 of Federal Act No. 131-FZ of 6 October 2003 on the General Principles of Organization of Local Self-Government, local governments

have responsibility for fostering activities that allow local autonomous ethnic cultural organizations to enjoy their rights; this includes providing support for the study of their languages, history, literature and art at educational institutions. Federal Act No. 11-FZ of 9 February 2009 amending article 16 of the Federal Act on Autonomous Ethnic Cultural Organizations gave such organizations the right to raise and use funds, including to meet the ethnocultural needs of the country's citizens.

66. Article 5 of Federal Act No. 273-FZ of 29 December 2012 on Education in the Russian Federation, the Education Act, guarantees the right to education for everyone in the country, regardless of sex, race, ethnic origin, language, descent, property, social status, official position, place of residence, religion, beliefs, membership of civil society organizations or other circumstances.

67. Article 62, paragraph 3, of the Constitution states that foreign citizens and stateless persons shall have the same rights and obligations as citizens, except as provided for by federal law or by international treaties to which the Russian Federation is a party.

68. Article 43 of the Constitution guarantees access to free education, including basic general education in State and municipal educational institutions and in enterprises. The Education Act stipulates that this guarantee should be applied in accordance with federal educational standards for preschool, primary, basic and secondary education and secondary vocational education, and also guarantees free higher education on a competitive basis, provided that such education is being pursued for the first time.

69. Pursuant to article 28, paragraph 1, of the Convention on the Rights of the Child of 1989, States parties recognize the right of the child to education and, with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular, encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need.

70. In accordance with article 1 of the Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier.

71. Principle 7 of the 1959 Declaration of the Rights of the Child provides that a child is entitled to receive education, which shall be free and compulsory, at least in the elementary stages.

72. In addition, according to article 3, subparagraph (e) of the 1960 Convention against Discrimination in Education (which was ratified by the Presidium of the Supreme Soviet in Decree No. 254-VI of 2 July 1962 and entered into force for the Soviet Union on 1 November 1962), in order to eliminate and prevent discrimination as defined in the Convention, the States parties undertake to give foreign nationals resident within their territory the same access to education as that given to their own nationals.

73. In accordance with article 15, paragraph 4, of the Constitution, the universally recognized principles and norms of international law and the international agreements to which the Russian Federation is a party are an integral part of its legal system. If an international treaty to which the Russian Federation is a party stipulates otherwise than provided for by national law, the provisions of the international treaty shall prevail.

Paragraph 17, subparagraph (c)

74. Under national legislation, all students, including children from Roma families residing in Russia legally, have equal access to education.

75. The national education policy is designed to create optimal conditions for development, including for indigenous minority peoples.

Paragraph 20

76. The recommendations of the Committee on the Elimination of Racial Discrimination aimed at ensuring the sustainable development of the small indigenous peoples of the North, Siberia and the Russian Far East are being implemented against the background of the State ethnic policy for the period to 2025, the policy framework for the sustainable development of the small indigenous peoples of the North, Siberia and the Russian Far East, approved by Government Order No. 132-r of 4 February 2009, and the provision by the Ministry of Regional Development of subsidies to the constituent entities of the Russian Federation for promoting the socioeconomic and ethnocultural development of these peoples, as well as the implementation of relevant regional programmes.

Paragraph 21

77. In formulating action plans, the Ministry of Culture always gives priority to projects aimed at preventing and eliminating racial discrimination, so as to ensure the unity of the cultural space of the Russian Federation, guarantee the inhabitants of the country's territories and representatives of the various ethnic and social groups equal opportunities for access to cultural resources, and create the necessary conditions for intercultural dialogue in a multi-ethnic state.

78. The Ministry provides government support for the activities of autonomous ethnic cultural organizations and ethnic cultural centres.